K 1952.

File No. Shops & Estt.

Legal Department

B. **BRANCH**

p.1(c)

Subject:—

Notifications under the Bombay Shops and ~~Estt~~. Establishments Act 1948

File No. Shops & Estt. II/52 (N)

358 B

Legal Department.

The effect of the notification issued under section 6 of the Bombay Shops and Establishment Act, suspending the provisiosn of sub-section (1) of section 19 of the Act is that during the period of suspension the employee is not liable to any penalty under section 52(b) of the Act for keeping a restaurant or eating house open after 11 P.M. The H.D. has stated that under Govt. Resolution Home Department No. 8884/5, dated the 27th October 1950, in addition to a fee for a parmanent licence under the Bombay ~~XXX~~ Police Act, a special fee is prescribed for a temporary licence on special occasions for keeping open an eating house beyond the normal hours and that this temporary licence is called a special licence. The question for consideration is whether a peson in charge of an eating house can be required to obtain a special licence even when the application of sub-section (1) of section 19 of the Act is suspended in the case of restaurants and eating houses of special festival occasions. Under the Government ~~Resolu~~ Resolution, Home Department No. 8884/5, dated the 27th October 1950, Government has prescribed a special fee for a temporary licence on special occasion for keeping open restaurants or eating houses beyond 11 P.M. Section 19 of the Bombay Shops and Establishment Act regulates the opening and closing hours. There is nothing in that Act which will entitled an owner of a restaurant or eating house to claim exemption from such special licence prescibed under the Bombay Police Act, ~~1951~~ 1951, even when temporarily exempted from the provisions of sub-section (1) of section 19 of the Bombay Shops and Establishment Act.

O/C Sd/-
18/12

Additional Secretary to Government.

U.R. to D.D. No. 21422/B, dated the 19th December 1952.

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V.R.K.
21/7/56